

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2002-14

March 27, 2002

PUBLIC UTILITIES COMMISSION
Electronic Business Transactions Standards
(Chapter 323)

ORDER ADOPTING RULE AND
STATEMENT OF FACTUAL AND
POLICY BASIS

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

I. SUMMARY

In this Order, we amend our rule by adopting modifications to certain portions of the Electronic Business Transactions (EBT) Standards, appended to Chapter 323. These amendments to the EBT Standards represent the consensus recommendation of the EBT Maine Working Group (Working Group).¹

II. BACKGROUND & DISCUSSION

By Order dated November 2, 1999 in Docket No. 99-468, the Commission adopted Chapter 323 of its rules, which governs business processes and defines the electronic transactions necessary to support retail competition. Appended to the rule are the EBT Standards, which represent the consensus recommendation of the Working Group.

On December 26, 2001, the Working Group filed an amended version of the EBT Standards, requesting Commission approval as soon as practical in order to facilitate timely implementation of the changes. These revised EBT Standards add a new Electronic Data Interchange (EDI) transaction to provide for positive confirmation of change notifications. In its filing, the Working Group indicated that this change was made in response to requests by competitive energy providers and that making such a change will reduce manual interaction currently necessary. In addition, the Working Group made minor housekeeping changes to the EBT Standards to remove references to March 1, 2000 and to more accurately reflect how the Working Group operates.

¹ The EBT Working Group was formed by Commission Order in Docket No. 98-522 to develop recommendations for procedures, electronic protocols and data formats to be used when transferring data among entities after implementation of retail competition on March 1, 2000. The Order provided that "any interested entity affected by the restructuring of Maine's electric industry" could be part of the Working Group and that the Working Group's decisions shall be made by consensus.

III. RULEMAKING PROCEDURES

This rulemaking was conducted according to the procedures set forth in 5 M.R.S.A. §§ 8051-8058. On February 5, 2002, the Commission issued a Notice of Rulemaking (NOR) in this proceeding. On February 13, 2002, the Secretary of State published notice of the Proposed Rule. The Commission did not schedule a public hearing at the time it issued its NOR but indicated one would be held if requested by any five interested persons. No such requests were received, and no public hearing was held. In the NOR, the Commission noted that the fiscal impact of the proposed revisions to the rule is expected to be minimal. The NOR set a March 15, 2002 deadline for comments on the fiscal impact and as well as other implications of the rule. CMP filed comments on March 15, 2002, urging the Commission to adopt the modifications to the rule as proposed by the NOR. No other comments were received.

IV. DISCUSSION OF RULE AND COMMENTS

The revised EBT Standards represent a consensus document developed by the entities implementing these processes and Commission Staff. Comments on these proposed revisions to the Standards were solicited from stakeholders as part of the EBT Working Group consensus process as well as pursuant to this rulemaking process. No comments were received in either process suggesting these revisions should not be implemented. Further, as we indicated in the NOR, the fiscal impact of the proposed revisions to the EBT standards is expected to be minimal and we received no comment to the contrary. Moreover, we have reviewed the proposed changes and find them to be reasonable.

Accordingly, we

O R D E R

1. That the attached Electronic Business Transactions (EBT) Standards, appended to Chapter 323, are hereby adopted;
2. That the Administrative Director shall send copies of this Order, Chapter 323 and the attached EBT Standards to:
 - a. The Secretary of State for publication in accordance with 5 M.R.S.A. § 8053(5); and
 - b. The Executive Director of the Legislative Council (20 copies).
3. That the Administrative Director shall send notice that this Rule has been adopted to:
 - a. All electric utilities in the State;

- b. All persons who have filed with the Commission within the past year a written request for Notices of Rulemaking;
- c. All persons who have filed an application with the Commission for a license as a competitive electricity provider.
- d. All persons listed on the service lists in Docket No. 98-522 and Docket No. 99-468; and
- e. All persons on the EBT Working Group e-mail list.

Dated at Augusta, Maine, this 27th day of March, 2002.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: WELCH
 NUGENT
 DIAMOND

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.